

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA
MIDDLE DIVISION**

SECILLUP JOE WELCH,

Plaintiff,

VS.

JAMEY HOPKINS, et al.,

Defendants.

Case No. 4:13-cv-02103-CLS-JEO

MEMORANDUM OPINION

The magistrate judge filed a report and recommendation on July 13, 2015, recommending that defendants Carlos Woods and Jacob Weaver's motion for summary judgment¹ be granted on plaintiff's claims and those claims be dismissed with prejudice. Because service was never obtained on defendant Jamey Hopkins, the magistrate judge further recommended that plaintiff's claims against defendant Jamey Hopkins be dismissed without prejudice. The parties were allowed fourteen (14) days to file objections and advised that the failure to file such objections would bar any later challenge or review of the factual findings of the magistrate judge. No objections have been filed by any party.

¹ Doc. no. 13.

Having carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation and the objections thereto, the Court is of the opinion that the magistrate judge's report is due to be and is hereby is ADOPTED and the recommendation is ACCEPTED. The court EXPRESSLY finds that there are no genuine issues of material fact and defendants are entitled to judgment as a matter of law on plaintiff's claims against them.

Accordingly, defendants' motion for summary judgment is due to be GRANTED, and plaintiff's claims against defendants Carlos Woods and Jacob Weaver are due to be DISMISSED with prejudice. Plaintiff's claims against defendant Jamey Hopkins are due to be DISMISSED without prejudice. A Final Judgment will be entered.

DONE this 1st day of September, 2015.



United States District Judge